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Fiftieth session
Item 146 of the provisional agenda*

REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW ON THE WORK OF ITS TWENTY-EIGHTH SESSION

Implementation of paragraph 8 of General Assembly resolution 49/55 on granting travel assistance to delegates of developing countries

Report of the Secretary-General

I. INTRODUCTION

1. The United Nations Commission on International Trade Law (UNCITRAL), when discussing at its twenty-third session the United Nations Decade of International Law, noted that the activities, suggested by the General Assembly in its resolution 44/23 of 17 November 1989, relating to the teaching, study, dissemination, wider appreciation and promotion of international trade law would have their impact in all regions, but that they would be of greatest significance in developing countries. In the same spirit, it was suggested that an attempt should be made to finance the travel of experts from developing countries, and especially from States members of the Commission, to the sessions of the Commission and its working groups so that those States would be in a better position to contribute actively to the creation of international trade law.

2. Pursuant to a request expressed by the General Assembly in paragraph 5 of its resolution 45/42 of 28 November 1990, the Secretary-General submitted to the Assembly at its forty-sixth session a report (A/46/349), analysing possible ways by which assistance could be given to developing countries that were members of the Commission, in particular the least developed countries, so that they might attend meetings of the Commission and its working groups, bearing in mind the arrangements that existed for United Nations bodies generally pursuant to section IX of resolution 43/217 of 21 December 1988.

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3. The General Assembly at its forty-sixth session adopted resolution 46/56 B of 9 December 1991 in which it requested "the Fifth Committee, in order to ensure full participation by all Member States, to consider granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, as well as, on an exceptional basis, to other developing countries that are members of the Commission at their request, in consultation with the Secretary-General, to enable them to participate in the sessions of the Commission and its working groups".

4. At its forty-seventh session the General Assembly adopted resolution 47/34 of 25 November 1992 in paragraph 12 of which it requested "the Fifth Committee, in order to ensure full participation by all Member States, to continue to consider granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, as well as, on an exceptional basis, to other developing countries that are members of the Commission at their request, in consultation with the Secretary-General, to enable them to participate in the sessions of the Commission and its working groups".

5. At its forty-eighth session the General Assembly adopted resolution 48/32 of 9 December 1993, paragraphs 5 and 6 of which read as follows:

["The General Assembly ...]

"5. Requests the Secretary-General, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to establish a separate trust fund for the Commission to grant travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;

"6. Decides, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue its consideration in the competent Main Committee ... on granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General".

6. And at its forty-ninth session, the General Assembly adopted resolution 49/55 of 9 December 1994, paragraphs 6, 7 and 8 of which read as follows:

["The General Assembly ...]

"6. Welcomes the completion of the setting up of the trust fund for the United Nations Commission on International Trade Law to grant travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General, pursuant to paragraph 5 of resolution 48/32 of 9 December 1993;

"7. Appeals to Governments, the relevant United Nations organs, organizations, institutions and individuals, in order to ensure full participation by all Member States in the sessions of the Commission and

its working groups, to make voluntary contributions to the trust fund referred to in paragraph above;

"8. Decides, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue its consideration in the competent Main Committee during the forty-ninth session of the General Assembly of granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General".

7. By the same resolution, the General Assembly also requested the Secretary-General to submit a report on the implementation of paragraph 8 of the resolution at its fiftieth session. The present report is submitted pursuant to that request.

II. THE TRUST FUND

8. The Secretary-General is responsible for the use of the trust fund referred to in paragraphs 5 and 6 above, and the fund will be administered, in accordance with its terms of reference, by the Legal Council as the programme manager of the fund.

9. The Secretary-General wishes to inform the General Assembly that, as at 1 September 1995, no contributions have been made by Member States to the Trust Fund.

III. CONTINUED CONSIDERATION IN COMPETENT MAIN COMMITTEE

10. The General Assembly may wish to take note of the present report and thereby complete its consideration of the matter.

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Item 81 of the provisional agenda*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 14 September 1995 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement issued by the President of the Republic of Macedonia, Mr. Kiro Gligorov, on 14 September 1995, concerning the establishment of diplomatic relations between the Republic of Macedonia and the United States of America and the signing of the Interim Accord between the Republic of Macedonia and the Republic of Greece.

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 81 of the provisional agenda, and of the Security Council.

(Signed) Denko MALESKI
Ambassador
Permanent Representative of the
Republic of Macedonia to the
United Nations

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ANNEX

Statement issued by the President of the former Yugoslav Republic of Macedonia on 14 September 1995 concerning the establishment of diplomatic relations between the former Yugoslav Republic of Macedonia and the United States of America and the signing of the Interim Accord between the former Yugoslav Republic of Macedonia and Greece

Yesterday, we established full diplomatic relations with the United States of America. This act definitely finalizes the relations and cooperation between the Republic of Macedonia and the United States of America, which is of great significance not only for our country but for the wider stability in the south of the Balkans as well. Thus, the traditionally friendly relations between our two countries, the support extended by the United States in the past year for the independence of the Republic of Macedonia, the support for our membership in the United Nations as well as the participation of United States troops within the forces of the United Nations Preventive Deployment Force (UNPREDEP) in the Republic of Macedonia have gained yet another strong verification. By establishing diplomatic relations at the level of embassies, the perspectives of our mutual cooperation initiated earlier, when the United States of America recognized the Republic of Macedonia, now stand on truly firm foundations.

The establishment of diplomatic relations precedes the Accord reached between the Republic of Macedonia and the Republic of Greece in New York yesterday. The American initiative and direct engagement in the signing of this Accord is also a confirmation of the common American-Macedonian interest for peace and stability in the south of the Balkans and for enhancing the international position of the Republic of Macedonia. This is why, on this occasion, I wish to assert that the Republic of Macedonia has achieved success in its peaceful policy, in the principles of political dialogue for resolving unsettled issues with its neighbours, in realizing human and minority rights in accordance with international standards, in the principles for Europization of the Balkans and in the protection of its own national interests and aims.

In this context, we have confirmed our long-term orientation for developing good-neighbourly relations with all of our neighbours on the principles of the inviolability of borders by way of force, the free flow of people, goods and ideas and the development of comprehensive cooperation in all fields. And, despite the fact that in the past four years it was not seldom that we were the victims of historical prejudices of some policies led on the Balkans, we have proved that we are capable of enduring, as a State and as a people, with authentic national and cultural identity, with deep historical roots and our own contribution to European culture and civilization. Because of this fact, our independence could not be challenged - not by economic blockades and not by various attempts to ignore our country or to revive the anachronistic activities on the Balkans from the beginning of this century. I am pleased to note that somewhat sooner or somewhat later, this fact was also recognized and accepted by our neighbours as a reality requirement. This is why I salute the realistic demeanour the Republic of Greece has shown by signing the Accord. Allow me to reiterate what I have often said - that Macedonian-Greek relations provide

prospects in the interest of the two peoples and of peace and good-neighbourly relations and cooperation among all Balkan peoples.

Now it is especially important to show good will, readiness and fair demeanour in the implementation of this Accord. Time can prove this act a turning-point for the future of the Balkans.

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QUESTION OF EAST TIMOR

Progress report of the Secretary-General

1. Since the resumption of talks between Indonesia and Portugal on the question of East Timor in 1992, I have held, in the context of my good offices, six rounds of discussions with the Foreign Ministers of the two countries aimed at finding a just, comprehensive and internationally acceptable solution to the question of East Timor. I have reported to the Assembly annually on the progress of these efforts. The last two rounds of talks were held since I submitted my last progress report (A/49/391), and I will highlight here the salient points that emerged from those discussions (see press releases SG/SM/5519 and SG/T/1974).

2. The fifth round of talks with the Foreign Ministers of the two Governments was held at Geneva on 9 January 1995. At that round, the Ministers, inter alia, noted positively my intention to facilitate and offer the necessary arrangements for the convening of an all-inclusive intra-East-Timorese dialogue. The objective of the dialogue was to provide a forum for continuing the free and informal exchange of views, to explore ideas of a practical nature that might have a positive impact on the situation in East Timor and assist in the establishment of an atmosphere conducive to the achievement of a solution to the question of East Timor. It was understood that the East Timorese dialogue would not address the political status of East Timor and would not constitute a parallel negotiating track or be a substitute for the ministerial talks. In the interest of creating and maintaining a propitious climate for a fruitful dialogue, I issued an appeal to all East Timorese to exercise restraint and refrain from actions that could have a detrimental impact, prior to and during

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the course of the dialogue. I also expressed the need for the two Governments to cooperate with me in my initiative and to encourage all East Timorese to respond constructively to my initiative and appeal.

3. The Ministers further agreed to consider at the subsequent round of talks substantive issues identified by me regarding possible avenues towards a solution to the question of East Timor.

4. On human rights, the Ministers recalled the statement issued following the previous round of talks, in May 1994, in which they had concurred, inter alia, on the need to improve the human rights situation in East Timor, and the relevant Chairman's statements adopted by consensus by the Commission on Human Rights, in particular, with regard to access to East Timor, the early release of the East Timorese imprisoned and the full accounting for the persons dead or missing as a result of the violent incident at Dili on 12 November 1991. The meeting took note of the intention of the Government of Indonesia, in the terms conveyed at the meeting, to take further steps for the implementation of the undertakings contained therein.

5. The first meeting of the All-Inclusive Intra-East-Timorese Dialogue was held at Burg Schlaining, Austria, from 2 to 5 June 1995 and brought together 30 East Timorese of various shades of political opinion residing inside and outside East Timor. Two representatives of the United Nations attended the meeting without taking part in the discussions. The gathering, the first of its kind, was held in a positive and constructive atmosphere and adopted, by consensus, the Burg Schlaining Declaration, which inter alia, proposed to me that further meetings be held within the same framework; reaffirmed the need to implement the necessary measures in the field of human rights and other areas with a view to promoting peace, stability, justice and social harmony; reaffirmed the necessity for the social and cultural development of East Timor on the basis of the preservation of the cultural identity of the people, including tradition, religion, history and language, as well as the teaching of Tetun and Portuguese; and expressed the need to create the basis for the involvement of all East Timorese, without discrimination of any sort, in the development of East Timor in every sphere of human life in a climate of mutual understanding, tolerance and harmony.

6. The participants paid tribute to Rev. Dom Carlos Filipe Ximenes Belo, the Apostolic Administrator of Dili, for his contribution to the debate, such as the proposals that were agreed upon with a view to improving the physical and spiritual conditions of the lives of the people of East Timor. They also expressed appreciation for the consultations undertaken by the United Nations with East Timorese of various shades of opinion, aiming at their gradual involvement, as well as the availability of the Foreign Ministers of Portugal and Indonesia for direct dialogue with East Timorese personalities. I am encouraged by the result of this first meeting, and it is my intention, with the consent of the two Governments, to facilitate a further intra-East-Timorese meeting following the seventh round of ministerial talks on 16 January 1996.

7. I convened the sixth round of talks between the two Foreign Ministers, also at Geneva, on 8 July 1995, a few weeks later than the time originally envisaged,

in order to allow for the meeting of the All-Inclusive Intra-East-Timorese Dialogue to take place.

8. At that round, the Ministers discussed developments since the previous round in January, including the implementation of the Chairman's statement on the situation of human rights in East Timor, agreed upon by consensus by the Commission on Human Rights at its fifty-first session, the importance of which was stressed.

9. The Ministers welcomed the convening of the All-Inclusive Intra-East-Timorese Dialogue, which constituted a positive effort to help create an atmosphere conducive to the achievement of a solution to the question of East Timor. They also welcomed my view on the need for convening a further meeting or meetings of that Dialogue and my intention to pursue the matter with the two parties.

10. Also at the sixth round, the two sides, without prejudice to their respective positions of principle regarding the political status of East Timor, began discussions on the substantive issues identified by me regarding possible avenues for a just, comprehensive and internationally acceptable solution. In that context, they discussed issues related to an eventual framework for the achievement of such a solution and other related issues, including the preservation and promotion of the cultural identity of the East Timorese people and bilateral relations between them. They agreed to continue to discuss these issues in conjunction with one another.

11. I will hold a seventh round of talks with the two Ministers on 16 January 1996 in London.